

AMENDMENTS TO THE DRAWINGS

The attached eight (8) sheets of drawings, which include Figs. 1-8, replace the original sheets including Fig. 1-8. Now new matter has been introduced.

Attachment: Replacement Sheets

REMARKS/ARGUMENTS

In view of the amendments and remarks herein, favorable reconsideration and allowance of this application are respectfully requested. By this Amendment, claims 1-42 have been cancelled, and claims 43-79 have been added. Thus, claims 43-79 are pending for further examination.

Information Disclosure Statement

As background, it is respectfully noted that the assignee of the instant invention maintains a large, interactive entertainment network, providing innovative solutions to over 30,000 bars, restaurants, retailers, and other businesses in North America alone. The assignee of the instant invention introduced what is believed to be the world's first digital-downloading, pay-per-play commercial jukebox in 1998 and now operates what is believed to be the largest network of interactive entertainment systems, playing over 1.5 million songs per day. It maintains a digital music library of more than two million licensed tracks from every major record label, in addition to independent music distributors and a host of independent labels. Part of the assignee's commercial success is believed to be related to its significant history of innovation as evidenced, in part, by its numerous issued patents and pending patent applications. As such, it perhaps is not surprising that the assignee of the instant invention has become aware of the significant body of art reflected on the Information Disclosure Statement (IDS) filed August 30, 2007.

Page 2 of the Office Action notes that there are over 200 references cited in this IDS and further states, "The Examiner has performed a cursory review of all the ones containing subject matter in English" (emphasis added). However, MPEP 609 states that "Once the minimum requirements of 37 CFR 1.97 and 37 CFR 1.98 are met, the examiner has an obligation to consider the information." MPEP 609.05(b) elaborates on this obligation:

“Consideration by the examiner of the information submitted in an IDS means that the examiner will consider the documents in the same manner as other documents in Office search files are considered by the examiner while conducting a search of the prior art in a proper field of search. . . . Examiners must consider all citations submitted in conformance with the rules, and their initials when placed adjacent to the considered citations on the list or in the boxes provided on a form PTO/SB/08A and 08B provides a clear record of which citations have been considered by the Office.”

In view of these requirements, Applicant assumes that the initials adjacent to the references cited in Applicant’s IDS of August 30, 2007 indicate that the references have been duly considered pursuant to MPEP 609, *et seq.* If this is not the case, the Examiner is kindly requested to “line through” any references not appropriately considered on the courtesy copy of the IDS attached hereto.

Rejections under 35 U.S.C. § 103(a)

The rejections of claims 1-42 as allegedly being made “obvious” by various combinations of Bowman-Amuah (U.S. Patent No. 6,289,382), Martin (WO 93/18465), Dunning et al. (U.S. Patent No. 7,024,485), and Raike et al. (U.S. Publication No. 2002/0162104) is moot in view of the cancellation of these claims. It is noted that Applicant does not acquiesce to the propriety of these Section 103 rejections.

New Claims 43-79

New claims 43-79 have been added to seek further protection for the invention. No new matter has been introduced.

Conclusion


Applicant believes that all of the pending claims clearly and patentably distinguish the prior art of record and are in condition for allowance. Thus, passage of this case to issuance at an early date is earnestly solicited.

NATHAN et al.
Appl. No. 10/661,811
April 7, 2008

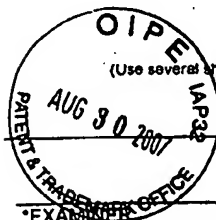
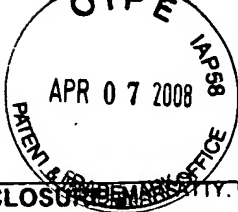
Should the Examiner have any questions, or deem that any further issues need to be addressed prior to allowance, the Examiner is invited to call the undersigned attorney at the phone number below.

Respectfully submitted,

NIXON & VANDERHYE P.C.

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INFORMATION DISCLOSURE MARKS ACTIVITY DOCKET NO.
CITATION

2302-16

SERIAL NO.

10/661,811

APPLICANT

NATHAN et al.

3621

FILING DATE

GROUP

September 15, 2003

U.S. PATENT DOCUMENTS

INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/J.M./	4,597,058	6/1986	Izumi			
	4,186,438	1/1980	Benson			
	4,335,809	6/1982	Wain			
	4,654,799	3/1987	Ogaki			
	4,528,643	7/1985	Freeny			
	4,703,465	10/1987	Parker			
	4,787,050	11/1988	Suzuki			
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	5,341,350	8/1994	Frank			
	4,958,835	9/1990	Tashiro			
	4,956,768	9/1990	Sidi			
	4,922,420	5/1990	Nakagawa			
	4,761,684	8/1988	Clark			
	4,667,802	5/1987	Verduin			
	4,658,093	4/1987	Hellman			
	4,652,998	3/1987	Koza			
	4,636,951	1/1987	Harlick			
	4,582,324	4/1986	Koza			
	4,572,509	2/1986	Sitrick			

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							TRANSLATION	
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/J.M./	JP 2-153,665	6/1990	Japan					
/J.M./	JP 63-60634	3/1988	Japan					
	JP 62-284406	12/1987	Japan					X
	JP 68-170802	10/1983	Japan					X
/J.M./	JP 5-74078	3/1993	Japan					
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/J.M./	Patent Abstract of Japan vol. 95, no. 010 & JP 07 281682 A (Naguo Yuasa), 27 October 1 JP 07 281682, figure 1-6 abr�ge
/J.M./	Bonczek, Robert H. et al, "The DSS Development System", 1983 National Computer Conference, Anaheim, California, May 16-19, 1983, pp. 441-455.
/J.M./	IBM Technical Disclosure Bulletin, Vol. 30, No. 5, October 1987, "Method for Automated Assembly of Software Versions", pp. 353-355.

*Examiner

/Joshua Murdough/

Date Considered

11/28/2007

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Initial a this form with next communication to application.

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	3,982,620	9/1976	Kotenhau			
	5,191,611	3/1993	Lang			
	5,058,089	10/1991	Yoshimara			
	4,766,581	8/1988	Korn			
	4,949,187	8/1990	Cohen			
	5,041,921	8/1991	Scheffler			
	5,191,573	3/1993	Hair			
	5,355,302	10/1994	Martin			
	4,232,295	11/1980	McConnell			
	4,937,807	6/1990	Weitz			
	4,811,325	3/1989	Sharples			
	5,781,889	7/1998	Martin			
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	EU 0,309,298	3/1989	Europe				
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	GB A 2,122,799	1/1984	Great Britain				
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	EU A 0313359	4/1989	Europe				
	DE A 3,820,835	1/1989	Germany				
	FR A 2602352	2/1988	France				

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/J.M./	"Robotic Wafer Handling System for Class 10 Environments" IBM Technical Disclosure Bulletin, Vol. 32, No. 9A, Feb. 1990, pages 141-143.
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*Examiner

/Joshua Murdough/

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	5,513,117	4/1996	Small			
	5,431,492	7/1995	Rothschild			
	5,845,104	12/1998	Rao			
	4,999,806	3/1991	Chernow			
	5,548,729	8/1996	Akiyoshi			
	5,495,610	2/1996	Shing			
	5,734,961	3/1998	Castille			
✓	5,809,246	9/1998	Goldman			

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/J.M./	"High-speed Opens and Shorts Substrate Tester", IBM Technical Disclosure Bulletin, Vol. 33, No. 12, May 1991, pages 251-259.
/J.M./	"Darts Revolution Again", Replay Magazine, March 1991, pages 146-148.

*Examiner

/Joshua Murdough/

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	EPO 0363186	4/1990	Europe				
	EPO 0480558	4/1992	Europe				
	JP 57-173207	10/1982	Japan (Abstract only)				
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/J.M./	Galen A. Grimes, "Chapter 18, Taking Advantage of Web-based Audio."
/J.M./	Petri Koskelainem "Report on Streamworks™"
/J.M./	W. Richard Stevens, "TCP/IP Illustrated: Vol. 1, the Protocols"
/J.M./	Nowell Outlaw "Virtual Servers Offer Performance benefits for Networks Imaging"

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	5,835,843	11/1998	Haddad			
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	5,276,866	1/1994	Paolini			
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	EP 0982695	3/2000	Europe				
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	EP 0841616A2	5/1998	Europe				
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	5,867,714	2/1999	Todd			
	5,790,856	8/1998	Lillich			
	5,923,885	7/1999	Johnson			
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	GB 2 238680 A	6/1991	Great Britain				
	DE 19610739	9/1997	Germany				
	EPO 0256921	2/1988	Europe				
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	EP 0 507 110	10/1992	Europe				
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	199954012	4/2000	Australia				
	07281682	10/1995	Japan (Abstract only)				
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